

1 \$3,700.MFO

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FILED
DISTRICT COURT OF GUAM
JUL 14 2006 *pm*
MARY L.M. MORAN
CLERK OF COURT

8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE TERRITORY OF GUAM**

11 UNITED STATES OF AMERICA,)
12 Plaintiff,)
13 vs.)
14 \$3,700.00 UNITED STATES CURRENCY,)
15 Defendant.)

CIVIL CASE NO. 05-00040

**UNITED STATES MOTION FOR
FINAL ORDER OF FORFEITURE**

16
17 COMES NOW the United States of America, by and through Leonardo M. Rapadas,
18 United States Attorney for the Districts of Guam and the Northern Mariana Islands, and Karon
19 V. Johnson, Assistant United States Attorney for the District of Guam, to respectfully move this
20 Honorable Court for a Final Order of Forfeiture in the above-captioned case, and in support
21 thereof represents to the Court the following facts:

22 1. That on February 27, 2006, a Preliminary Order of Forfeiture was filed with this
23 Court.

24 2. Pursuant to 21 U.S.C. § 853(n), third parties asserting a legal interest in the above-
25 described forfeited properties are entitled to a judicial determination of the validity of the legal
26 claims or interests they assert.

1 3. That the last day for any claimant to file a claim was July 9, 2006.

2 4. The United States published a Legal Notice, in compliance of notification of the
3 Court's Preliminary Order of Forfeiture, in the Honolulu Star Bulletin (see Attachment A) and in
4 the Marianas Variety Newspaper (Attachments B-E), two newspapers of general circulation on
5 May 26, 2006, June 2, 2006 and June 9, 2006. Said published Legal Notice advised all third
6 parties of their right to petition the Court within thirty (30) days of the publication date for a
7 hearing to adjudicate the validity of their alleged legal interest in the forfeited property.

8 5. No other third party has made a claim to or declared any interest in the above-
9 described forfeited property.

10 **WHEREFORE**, the United States moves this Court for a Final Order of Forfeiture
11 declaring the defendant \$3,700.00 in United States Currency forfeited as to all parties and
12 vesting full right, title and interest in the defendant \$3,700.00 United States Currency in the
13 United States and directing the United States Marshal to dispose of the defendant real property
14 according to law.

15 Respectfully submitted this 14th day of July, 2006.

16 LEONARDO M. RAPADAS
17 United States Attorney
18 Districts of Guam and the NMI

19 By:

20 
21 KARON V. JOHNSON
22 Assistant U.S. Attorney
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IN THE MATTER OF
LEGAL NOTICES

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII

SS.

City and County of Honolulu

Heidi Ainsworth being duly sworn,
deposes and says that she is a clerk, duly authorized to
execute this affidavit of MidWeek Printing, Inc., publisher
of MidWeek and the Honolulu Star-Bulletin, that said
newspapers are newspapers of general circulation in the
State of Hawaii, and that the attached notice is true notice
as was published in the aforementioned newspapers as
follows:

MidWeek _____ times on _____

Honolulu Star-Bulletin 3 times on _____
05/26/2006,06/02/2006,06/09/2006

And that affiant is not a party to or in any way interested in
the above entitled matter.

Subscribed to and sworn before me this 9th day

of June A.D. 2006

Patricia K. Reese
Notary Public of the First Judicial Circuit
State of Hawaii

My commission expires October 07, 2006

Ad# 05522967

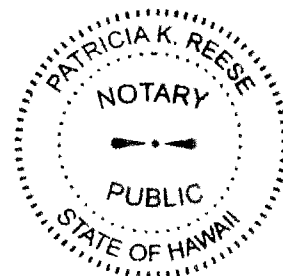
LEGAL NOTICE

The United States of America vs. \$3,700.00 United States Currency, United States District Court for the District of Guam, Civil Case Number 05-00040. The defendant is \$3,700.00 in United States Currency. This is a civil action in rem brought to enforce the provision of 18 U.S.C. §§981(a)(1)(C), 1956(c)(7), and 1961(1), for the forfeiture of United States currency which constitutes proceeds traceable to a violation of Title 8, United States Code, §1324(A)(2)(B)(ii), Alien Smuggling for Commercial Advantage or Private Financial Gain.

All persons claiming an interest in this property must file a claim, pursuant to Rule C of the Supplemental Rules of Certain Admiralty and Marine Claims or suffer entry of judgment by default, within thirty (30) days after the date of service of the Government's complaint or after the execution of the warrant or actual notice of this action or, as applicable, not later than thirty (30) days after the date of final publication of notice, and must serve and file an answer within twenty (20) days after filing of the claim with the Office of the Clerk, United States District Court for the District of Guam, 520 West Soledad Avenue, Hagatna, Guam 96910.

Additional procedures and regulations regarding this forfeiture action are found at 19 U.S.C. §§ 1602-1619, and Title 21, Code of Federal Regulations (C.F.R.), Sections 131.71-1316.81. All persons and entities who have an interest in the defendant property may, in addition to filing a claim or in lieu of the filing of a claim, submit a Petition for Remission or Mitigation of the foreclosure for a non-judicial determination of this action pursuant to 28, C.F.R. Part 9 to Karon Johnson, Assistant United States Attorney, Sirena Plaza, Suite 500, 108 Herman Cortez Avenue, Hagatna, Guam 96910, Attorney for plaintiff.

LAST DAY TO FILE: July 9, 2006
(SB05522967 5/26, 6/2, 6/9/06)





CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that the below described Public Notice, was published in the Marianas Variety Newspaper on May 26, June 2, and June 9, 2006. Proof of Publication is attached.

Subject matter published was a Legal Notice "The United States of America vs. \$3,700.00 United States Currency, United States District Court for the District of Guam, Civil Case Number 05-00040."

The Marianas Variety News & Views is a newspaper of general circulation within the Commonwealth of the Northern Mariana Islands and Guam. This certification of publication was issued upon request of the Fines, Penalties, and Forfeiture Office of the Department of Homeland Security, U.S. Customs and Border Protection, Honolulu, Hawaii, for all legal purposes and intents.

Issued this 19th day of June, 2006.

LAILA C. YOUNIS-BOYER
General Manager

Attachment B

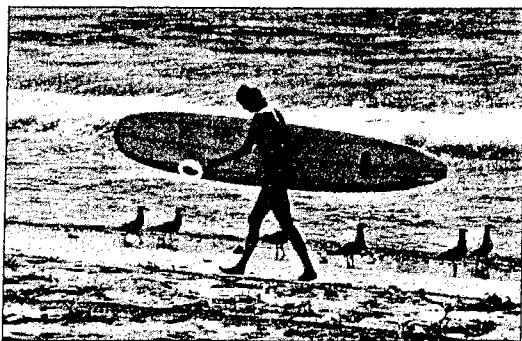
Group: Beachgoers at risk from polluted water

MIAMI (Reuters) — An environmental group said on Wednesday it would sue the U.S. government for failing to protect millions of beachgoers from contaminated water.

The Natural Resources Defense Council said the Environmental Protection Agency has moved too slowly to update beach water quality standards and protect people from diarrhea, skin rashes, earaches, pink eye, respiratory infections and other ailments from polluted water.

The agency missed an October 2005 deadline mandated by Congress to revise outdated water quality standards and says it will not be able to finish the job until 2011, the group said.

"A day at the beach is not worth a night at the hospital," Nancy



A surfer walks along the shore at Surfrider Beach Wednesday in Malibu, Calif. Seven of California's 10 most polluted beaches, including Surfrider, are in or near Los Angeles County, according to the report released by Heal The Bay.

Stoner, the director of group's clean water project, said during a telephone news conference five

days before Memorial Day, the traditional beginning of the U.S. beach season.

The Natural Resources Defense Council said it had served the EPA with a notice of its intent to sue in 60 days.

The EPA issued a statement that did not address the NRDC's claim that it missed Congressional deadlines, but said the agency had developed a "strong beach program" and distributed more than \$52 million to states for monitoring programs.

The EPA said the number of beaches monitored has more than tripled since 1997.

The lawsuit will seek to force the EPA to accelerate its timetable for setting new water quality standards and strengthen those standards to "fully protect the public" from bacteria, viruses and parasites in beach water, the group said.

The EPA also needs to set standards for facilities that discharge contaminated water, such as sewage treatment plants, it said. In addition, the EPA should establish testing methods that allow public health officials to quickly decide whether to close beaches or advise people against swimming.

"A new beach test is undergoing development to provide information about water quality in two hours or less," the EPA said in its response.

Current outdated standards may not protect beachgoers from illnesses such as hepatitis and encephalitis as well as a host of common stomach ailments and infections, the NRDC said.

The EPA needs to put breakthrough technologies in microbiology — the kind seen on TV crime shows — to work detecting pollutants at beaches, said Dr. Joan Rose, director of Michigan State University's Center for Water Sciences.

"We are essentially using about 100-year-old methods, particularly when we monitor discharges that end up at our beaches," Rose said.

Poor teens more likely to be overweight

CHICAGO (Reuters) — The link between poverty and being overweight first shows up among 15- to 17-year-olds as children become freer to choose fattening soft drinks and avoid breakfast and exercise, a study said on Tuesday.

The prevalence of overweight adolescents has doubled in the United States over the past three decades, and overweight children have higher risks of diabetes, high blood pressure and potentially fatal illnesses when they reach adulthood, study author Richard Miech from Johns Hopkins University in Baltimore said.

Based on U.S. National Health and Nutrition Examination Surveys through 2004, the study found 23 percent of 15- to 17-year-olds from poor families were overweight, compared with 14 percent of non-poor in that age group — regardless of race or gender.

The proportion of poor and non-poor children who were overweight was about the same among 12- to 14-year-olds.

Older children tend to be more autonomous and free to choose what they eat and do, Miech wrote in the Journal of the American Medical Association.

The study found poor children were significantly more likely to get more calories from soft drinks than non-poor children. They were also more likely to skip breakfast and engage in less physical activity, contributing to the gap, it said.

Commonwealth of the Northern Mariana Islands
OFFICE OF THE MAYOR
Municipality of Saipan
Afeña Square, San Antonio

**PUBLIC NOTICE
INVITATION TO BID**

Pursuant to Title 6, Section 22 of the Saipan Municipal Code, the Office of the Mayor of Saipan hereby issues Notice of Invitation to Bid for the operation **Bingo and Bato** for the period of one (1) year commencing on July 4, 2006 to July 3, 2007.

The minimum bid for a Bingo License is \$1,000.00. The minimum bid for a Bato License is \$250.00.

All bids shall be accompanied by a deposit of twenty percent (20%) of the total amount bid. The deposit shall be in the form of a postal or express money order, cashier's or certified check, or bank draft, payable to the Commonwealth of the Northern Mariana Islands Treasurer, Saipan, MP 96950. All bids must be sealed and submitted to the Office of the Mayor of Saipan on or before 3:30 p.m., Thursday, June 15, 2006. No bid will be accepted after 3:30 p.m., June 15, 2006. All bids submitted on time will be publicly announced at 4:00 p.m., Wednesday, June 21, 2006 at the Office of the Mayor of Saipan at Afeña Square Building in San Antonio, Saipan, MP 96950.

For application forms and information, please come by or call the Mayor's office at telephone number 234-6208/6280 between 7:30 a.m. and 11:30 a.m. and 12:30 p.m. and 4:30 p.m., Monday through Friday.

/s/ JUAN BORJA TUDELA
Mayor of Saipan

Date: May 15, 2006

Father Isidro Ogumoro's
17th Anniversary
*Fundraising
Dinner Celebration*

When: May 27, 2006 (Saturday)
Place: Carolinian Utt, Garapan
Time: 6:00 pm - 10:00 pm

This is to invite the general public to come join Fr. Ogumoro celebrating his 17th Anniversary on this day.
To help support, please call 235-4521.
Tickets are also available at the door.

Olumoro

Commonwealth of the Northern Mariana Islands
OFFICE OF THE MAYOR
Municipality of Saipan
Afeña Square, San Antonio

**PUBLIC NOTICE
INVITATION TO BID**

Pursuant to Chapters 3 & 4, Title 6 of the Saipan Municipal Code, as amended, by Saipan Local Law No. 9-8, the Office of the Mayor of Saipan issues Notice of Invitation to Bid for the operation of **Cockfighting** for the period of one (1) year commencing on July 4, 2006 to July 3, 2007 subject to §3309 of the Amended Chapter of the Code.

The minimum bid for a Cockfight License is \$10,000.00 the successful bidder must pay his bid within twenty four (24) hours of the award of a bid.

All bids shall be accompanied by a non refundable one hundred dollars (\$100.00) payment. The deposit shall be in the form of a postal or express money order, cashier's or certified check, or bank draft, payable to the Commonwealth of the Northern Mariana Islands Treasurer, Saipan, MP 96950. All bids must be sealed and submitted to the Office of the Mayor of Saipan on or before 3:30 p.m., Thursday, June 15, 2006. No bid will be accepted after 3:30 p.m., June 15, 2006. All bids submitted on time will be publicly announced at 4:00 p.m., Wednesday, June 21, 2006 at the Mayor's office in San Antonio, Saipan.

For application forms and information, please come by or call the Mayor's office at telephone number 234-6208/6280 or 235-7444 between 7:30 a.m. and 11:30 a.m. and 12:30 p.m. and 4:30 p.m., Monday through Friday.

/s/ JUAN BORJA TUDELA
Mayor of Saipan

Date: May 15, 2006

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LAST DATE TO FILE: July 9, 2006

APPROPRIATE C

States plot how to handle pandemic flu threat

TOPEKA, Kansas (Reuters) — Kansans are practicing using a football field-sized tent as a portable hospital. Hawaii plans to find the sick by doing nasal swabs on tourists, and Seattle is issuing instructions on how to bury the dead.

Across the United States, local and state officials are spending millions of dollars to plot strategies for dealing with a still hypothetical — but experts say inevitable — pandemic flu crisis forecast to kill upwards of 2 million Americans.

The fears are tied to the current spread of a deadly strain of avian influenza known as H5N1 that has surfaced in Asia, Europe and Africa.

"There is no cookbook for pandemic. There is no one who says this is how this works," said Tod Bunting, who leads Kansas' emergency management operations, including the state's National Guard troops, who would be on the front lines of pandemic response. "The picture is unclear but we're just going to have to plan as best we can and then go with the flow."

The H5N1 avian influenza virus has infected at least 224 people in 10 countries and killed 127 of them, according to the World Health Organization. Experts evaluating the spread of this type of avian influenza believe it will ultimately mutate into a strain that could pass easily from person to person, sparking a pandemic that could sweep the globe in weeks or months.

The United States has not yet seen a case of H5N1, either in fowl or in a human, according to the Department of Health and Human Services. But federal officials have spent the past few months criss-crossing the country, warning of the possibilities of pandemic and pushing states

to come up with plans for how to handle a deadly flu outbreak if it strikes.

"We are overdue and we are under-prepared," HHS Deputy Secretary Alex Azar told a group of Kansas emergency responders at a meeting in Topeka last week. "The more and better we prepare, the more lives we will save."

Azar said the federal government won't be able to provide a safety net if a pandemic hits. States will have to rely on their own ingenuity to provide health care, keep essential services operating and distribute food and medicines.

The state efforts have been augmented with \$100 million in federal money so far, including \$1.2 million earmarked for Kansas. HHS will distribute another \$250 million to states later this year, according to Azar.

Taking the concerns to heart, community leaders and local and state officials have a mix of plans on the drawing board.

In Hawaii, officials at the Honolulu airport are planning to have nurses take nasal swabs of airline passengers who appear ill to screen them for the flu, and a jetload of people could be quarantined if any one passenger tested positive for the H5N1 strain, according to the Hawaii State Department of Health.

In Boston, thousands of healthcare professionals are being asked to sign up as volunteers for a "Medical Reserve Corps" who could help treat flu victims.

In Illinois, the DuPage County Health Department, which encompasses 1 million people in suburbs west of Chicago, last month sent out a mailer to 350,000 homes warning residents of pandemic flu and offering tips on how to personally prepare,



Agriculture Secretary Mike Johanns, left, with Health and Human Services Secretary Mike Leavitt, during an interview with the Associated Press in Washington, Tuesday, regarding bird flu. AP

including stocking up on food and water.

The county is also planning outreach kits to businesses, churches and schools along with a series of conferences in the fall, and it is launching a bird flu Web site.

"People are concerned and are asking for information," said DuPage County Health Department spokesman Dave Hass.

In South Carolina, representatives from all state agencies are meeting monthly with American Red Cross volunteers and other volunteer organizations to develop a plan of action.

The Muhlenberg College in Allentown, Pennsylvania is readying technology and personnel to transform the college

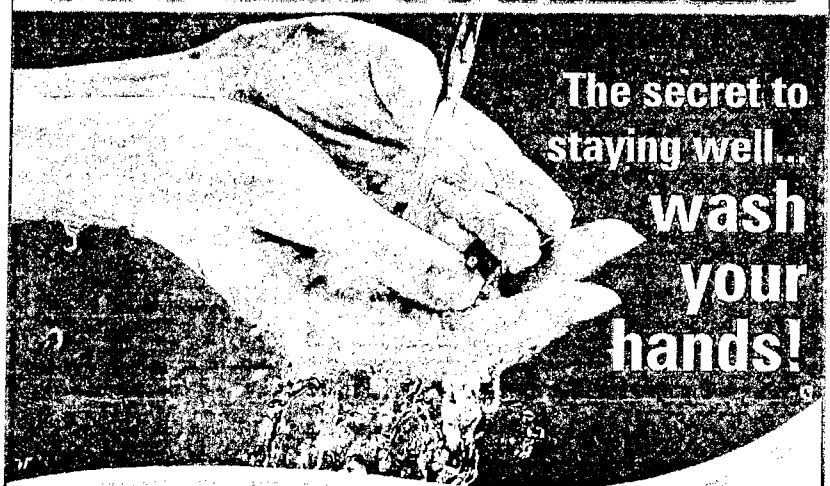
quickly into a command center capable of handling hundreds of hotline calls should pandemic hit.

And in Washington state, the King County public health department in Seattle has warned people that if body bags and refrigerated trucks are in short supply, flu victims should be buried in backyards, provided the graves are far from septic systems.

In Kansas, where state officials estimate a pandemic would claim some 2,500 lives, military units in Topeka spent last week-end practicing an emergency setup of the state's "EMEDS" (expeditionary medical support system), a portable system of tents that was deployed for use along the Gulf Coast after Hurricane Katrina. The system is designed to accommodate 25 intensive care beds, a surgical wing and a pharmacy. Another EMEDS is on order and the state anticipates it would be critical in handling waves of flu patients.

"We have never really had a public emergency of this magnitude in our lifetime," said Bunting. "But we can rally the country to win this thing. We can do this."

FLU FACTS FRIDAY



The secret to staying well...
wash your hands!

What is the correct way to wash your hands?

- **FIRST**, wet your hands and apply liquid or clean bar soap.
- **NEXT**, rub your hands together for 10 - 15 seconds and scrub all surfaces to remove germs.
- **RINSE WELL** and dry your hands.
- **REMEMBER!** Washing your hands helps prevent the flu and other illnesses.



A message brought to you by the CNMI Department of Public Health.

To learn more, visit www.pandemicflu.gov or call 236-8712

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LAST DATE TO FILE: July 9, 2006

Case 1:05-cv-00040

Document 13

To learn more, visit www.pandemicflu.gov

or call 236-8712

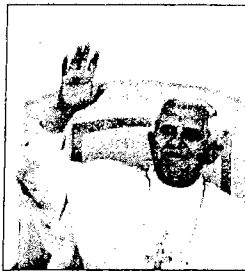
Pope, following criticism, condemns anti-Semitism

VATICAN CITY (Reuters) — Pope Benedict, speaking after some Jewish groups complained that his recent speech at the Auschwitz former Nazi concentration camp was not strong enough, on Wednesday explicitly condemned anti-Semitism.

The 79-year-old German Pope made his comments at his weekly general audience in a speech recalling his four-day trip to Poland last week to pay homage to his predecessor John Paul.

Wednesday's address appeared to be at least in part a response to some of the criticism leveled by Jews who said he should have been more specific and less theological at Auschwitz.

"In the Auschwitz-Birkenau camp, as in other similar ones, Hitler ordered the extermination



Pope Benedict XVI waves to the faithful during his weekly general audience in St. Peter's Square at the Vatican, Wednesday. AP

of more than six million Jews," he told tens of thousands of people in St. Peter's Square.

"In Auschwitz-Birkenau, 150,000 Poles were also killed, along with tens of thousands of

men and women of other nationalities," he said.

"Today's humanity must not forget Auschwitz and the other 'factories of death' where the Nazi regime tried to eliminate God in order to take his place," he said. "Humanity must not give in to the temptation of racial hatred, which is at the origin of the worst forms of anti-Semitism."

Ending a four-day pilgrimage to Poland on Sunday, the Pontiff reflected on how hard it was for a German to visit the former Nazi death camp and how challenging the evil committed there was for anyone who believed in a loving God.

In his speech at the camp, he called himself "a son of Germany" and asked why God was silent when 1.5 million victims, mostly Jews,

died "in this place of horror."

At the camp, the Pope twice used the word 'shoah,' the Hebrew term for the Holocaust, and said that the leaders of the Third Reich wanted to "crush the entire Jewish peoplecancel them from the register of the peoples of the earth."

But some Jewish leaders faulted him for not clearly mentioning anti-Semitism, others for saying Germany was taken over by criminals in the 1930s, as if Hitler had not had any popular support.

"We are deeply troubled by the Pontiff's failure to explicitly address the vicious anti-Semitism that led to the murder of more than 1.5 million Jews on the ground where he stood," Abraham Foxman, national director of the Anti-Defamation League, said in a statement.

Lithuanian gov't falls after coalition party quits

VILNIUS (Reuters) — The Lithuanian government fell on Wednesday after Labor, the biggest party in the minority coalition, withdrew following allegations of misuse of party and state funds by senior Labor politicians.

Lengthy efforts are now expected to build a new coalition, failing which fresh elections would have to be held.

Analysts said the European Union's decision earlier this month not to allow Lithuania to join the euro zone in early 2007 because of its high inflation rate had weakened the government significantly, without actually precipitating its fall.

Outgoing Prime Minister Algirdas Brazauskas was a major force behind the push to adopt the euro, repeatedly emphasizing the importance of the government's timetable and putting his political capital on the line.

Whatever new government emerges, analysts expect little if any change in the pro-western foreign policy of the Baltic state, which joined the European Union and NATO in 2004.

Brazauskas, 73, a political veteran who transformed himself from Lithuania's last communist leader into one of its first democratic presidents and later prime minister, said he was considering retiring from politics.

"I think the time has come for a new and younger generation to take over. I have been prime minister for five years, which has been enough," he told a news conference.

Analysts said the most likely outcome of political talks in the coming weeks was the re-emergence of Brazauskas's Social Democrats, the second largest coalition partner, at the core of a fresh government but under a new leader.

"The president will have to act as a political broker and discuss possible candidates for the prime minister's job with political parties," said political scientist Mindaugas Jurkynas.

Brazauskas did not refer to the delay in adopting the euro, but analysts said the new government was likely to retain the goal of joining the common currency as soon as possible.

Brussels said earlier this month it would not allow Lithuania to join the euro as planned in early 2007 because it had failed to meet EU rules on curbing inflation.

Brazauskas said the proposed sale by the Russian oil group YUKOS of its majority 53.7 percent stake in the Lithuanian oil refinery Mazeikiu Nafta to the Polish group PKN Orlen, approved by the government last Friday, would still go ahead.



COMMONWEALTH PORTS AUTHORITY

REQUEST FOR QUALIFICATION STATEMENTS FOR ARCHITECTURAL/ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT SERVICES

The Commonwealth Ports Authority (CPA) is soliciting statements of professional qualifications from interested firms for Architectural/Engineering (A/E) Design and Construction Management (CM) services for the Tinian International Airport Passenger Loading Bridge, AIP No. 3-69-0011-16, Northern Mariana Islands.

At a minimum, the statements of professional qualification from firms should address the areas generally described below:

1. Overall architectural/engineering design and construction management experience in the Pacific area and especially in the Commonwealth of the Northern Mariana Islands;
2. Key personnel's professional background and caliber, and availability for the proposed services;
3. Firms must have established active offices with a valid CNMI business license and the ability to perform the architectural/engineering design and construction management activities in the CNMI; and
4. Resumes of key personnel including current licenses and registrations of principal, if applicable.

Interested firms must submit one (1) original and four (4) copies each of their statements of professional qualifications no later than **4:30 p.m., Friday, June 2, 2006.**

Statements of qualification must be presented by a combination of both brochures and the use of current U.S. Government Standard Form 330. Only firms who have established an office in the Commonwealth and who have a valid business license will be considered.

The CPA reserves the right to reject any or all statements of professional qualification for any reason, if in its sole opinion to do so would be in its best interest.

Send information to: Mr. Regino M. Celis, Acting Executive Director, Commonwealth Ports Authority, P.O. Box 501055, Saipan, MP 96950-1055.

s/ REGINO M. CELIS
Acting Executive Director

Date: April 25, 2006

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LAST DATE TO FILE: July 9, 2006

NOTICE OF MEETING-ZONING BOARD

The regular meeting of the Zoning Board for June 2006 has been changed to Thursday, June 15, 2006 at 6:00 p.m. The meeting will be held in the second floor, conference room of the Department of Public Lands, Joeten Building, Dan Dan. The public is invited to attend. The agenda will include:

- A. PRELIMINARY MATTERS
 1. Call to Order
 2. Roll Call
 3. Adoption of Agenda
 4. Adoption of Minutes
 5. Communication(s) from Governor/Legislatures & other Agencies
- B. PUBLIC COMMENTS
- C. REPORTS: Chairman; Zoning Administrator, Committees; Legal Counsel
- D. Old Business
- E. New Business
 1. Hiring of the Zoning Administrator
 2. Discuss expenditures for FY 06
 3. Creation of new committees: Legal; and Personnel and Finance
- F. EXECUTIVE (CLOSED) SESSION
 1. Consult with legal counsel regarding pending matters
- G. MISCELLANEOUS
 1. Announcements
 2. Next Meeting
 3. Adjournment

For questions or access to materials to be considered at the Board meeting, or if you require assistance, please contact Henry Holschneider, Zoning Board Chair at 233-4102 or e-mail henryholschneider@yahoo.com. This notice is provided pursuant to Public Law 6-32, as amended, (2 CMC 7201, et seq.; 10 CMC 3511, et seq.)

/s/ Henry S. Holschneider, Chair



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Deadline is June 12th for (AA) and June 16th for (SSM).

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